

The Board of Regents of the Smithsonian Institution would be authorized and directed, with the assistance of the Board, to seek land and buildings in and near the District of Columbia suitable for the display of the military collections.

The heads of executive departments and independent agencies of the Government would be authorized to transfer or loan to the Smithsonian Institution for its use without charge any suitable objects, equipment, or records for exhibition, historical, or other appropriate purposes.

There would be authorized to be appropriated to the Smithsonian Institution such sums as would be necessary for the purposes of the act.

**The PRESIDING OFFICER.** The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3846) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established in the Smithsonian Institution a National Armed Forces Museum Advisory Board (hereinafter referred to as the Board), which shall provide advice and assistance to the Regents of the Smithsonian Institution on matters concerned with the portrayal of the contributions which the Armed Forces of the United States have made to American society and culture.*

(b) The Board shall be composed of eleven members as follows:

(1) The Secretary of Defense, who shall serve as an ex officio member;

(2) The Secretary of the Smithsonian Institution, who shall serve as an ex officio member;

(3) Nine members appointed by the President, (A) three of whom shall be appointed from persons recommended by the Secretary of Defense to represent the Armed Forces, and (B) two of whom shall be appointed from among persons recommended by the Regents of the Smithsonian Institution. Not less than two members appointed by the President shall be from civilian life.

(c) Members of the Board appointed by the President shall be appointed to serve for a period of six years; except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first appointed shall expire, as designated by the President at the time of appointment, three at the end of two years, three at the end of four years, and three at the end of six years.

(d) Five members of the Board shall constitute a quorum and any vacancy in the Board shall not affect its power to function.

(e) The members of the Board shall serve without compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Board.

(f) The Board shall select officers from among its members biennially and shall make such bylaws, rules, and regulations as it deems necessary for the furtherance of its business.

**SEC. 2. (a)** The Smithsonian Institution shall commemorate and display the contributions made by the military forces of the Nation toward creating, developing, and maintaining a free, peaceful, and independent society and culture in the United States of America. The valor and sacrificial service of the men and women of the Armed Forces shall be portrayed as an inspiration to the

present and future generations of America. The demands placed upon the full energies of our people, the hardships endured, and the sacrifice demanded in our constant search for world peace shall be clearly demonstrated. The extensively peacetime contributions the Armed Forces have made to the advance of human knowledge in science, nuclear energy, polar and space exploration, electronics, engineering, aeronautics, and medicine shall be graphically described. The Smithsonian Institution shall interpret through dramatic display significant current problems affecting the Nation's security. It shall be equipped with a study center for scholarly research into the meaning of war, its effect on civilization, and the role of the Armed Forces in maintaining a just and lasting peace by providing a powerful deterrent to war. In fulfilling its purposes, the Smithsonian Institution shall collect, preserve, and exhibit military objects of historical interest and significance.

(b) The provisions of this Act in no way rescind Public Law 722, Seventy-ninth Congress, approved August 12, 1946, which established the National Air Museum of the Smithsonian Institution, or any other authority of the Smithsonian Institution.

**SEC. 3. (a)** The Board of Regents of the Smithsonian Institution is authorized and directed, with the advice and assistance of the Board, to investigate and survey lands and buildings in and near the District of Columbia suitable for the display of military collections. The Board of Regents of the Smithsonian Institution shall, after consulting with and seeking the advice of the Commission on Fine Arts, the National Capital Planning Commission, and the General Services Administration, submit recommendations to the Congress with respect to the acquisition of lands and buildings for such purpose.

(b) Buildings acquired pursuant to recommendations made under subsection (a) of this section shall be used to house public exhibits and study collections that are not appropriate for the military exhibits of the Smithsonian Institution on the Mall in the District of Columbia. Facilities shall be provided for the display of large military objects, and for the reconstruction, in an appropriate way, on lands acquired pursuant to recommendations made under subsection (a) of this section, of exhibits showing the nature of fortifications, trenches, and other military and naval facilities characteristic of the American colonial period, the War of the Revolution, and subsequent American military and naval operations.

**SEC. 4.** The heads of executive departments and independent agencies of the Government are authorized to transfer or loan to the Smithsonian Institution for its use without charge therefor military, naval, aeronautical, and space objects, equipment and records for exhibition, historical, or other appropriate purposes.

**SEC. 5.** There are hereby authorized to be appropriated to the Smithsonian Institution such sums as may be necessary for the purposes of this Act.

**Mr. DIRKSEN.** Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

**Mr. JOHNSON** of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

**Mr. DIRKSEN.** Mr. President, I ask unanimous consent that the Senator from Massachusetts [Mr. SALTONSTALL] be authorized to place a statement at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD.

[The statement of the Senator from Massachusetts [Mr. SALTONSTALL] will appear hereafter in the Appendix.]

## ACTIVE DUTY AGREEMENTS FOR RESERVE OFFICERS

**Mr. JOHNSON** of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2014, H.R. 5132.

**The PRESIDING OFFICER.** The bill will be stated by title.

**The LEGISLATIVE CLERK.** A bill (H.R. 5132) to amend title 10, United States Code, with respect to active duty agreements for Reserve officers, and for other purposes.

**The PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Armed Services with amendments to strike out all after the enacting clause and insert:

That section 265 of the Armed Forces Reserve Act of 1952 (50 U.S.C. 1016) is amended—

(1) by striking out the words "of one-half" in the first sentence of subsection (a) thereof;

(2) by amending subsection (b) (6) to read as follows:

"(6) Except as provided in this paragraph, a person who upon release from active duty is eligible for disability compensation under laws administered by the Veterans' Administration. However, such a person may be awarded readjustment pay under this section in addition to disability compensation, subject to deduction from the disability compensation of the amount of the readjustment payment which has not otherwise been recovered. Receipt of readjustment pay shall not deprive a person of any part of any disability compensation to which he may become entitled, on the basis of subsequent service, under laws administered by the Veterans' Administration."

(3) by redesignating subsection (h) as subsection (j) and by inserting immediately following subsection (g) the following new subsections:

"(h) Under regulations to be prescribed by the Secretary concerned there shall be deducted from the monthly retired pay of a member of a reserve component who has received readjustment payments under subsection (a) and who qualifies for retired pay under any provision of title 10, United States Code, except chapter 67 thereof, an amount sufficient to recover during the life expectancy of the member one-half of the readjustment payment that the member has received.

"(i) Subsection (h) does not apply to any person to whom readjustment pay has been paid before the effective date of that subsection."

**SEC. 2.** Notwithstanding an election under section 265 (b) (6) of the Armed Forces Reserve Act of 1952, before the date of enactment of this Act, to receive readjustment pay under that section, any person who has made such an election may be awarded disability compensation to which he is otherwise entitled, subject to deduction as provided in that section, as amended by this Act, of the amount of such readjustment payment. However, no such award shall be effective for any period before the enactment of this Act.

**Mr. JOHNSON** of Texas. Mr. President, the measure is approved by the

Department of Defense and has been reported unanimously by the Committee on Armed Services.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement prepared by the chairman of the Committee on Armed Services, the Senator from Georgia [Mr. RUSSELL].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR RUSSELL

LUMP SUM READJUSTMENT PAYMENTS FOR RESERVE OFFICERS INVOLUNTARILY RELEASED FROM ACTIVE DUTY

This bill would amend the authorization for paying a lump sum readjustment payment to members of the Reserve components who are involuntarily released from active duty after having served on active duty for at least 5 years. The basic law was enacted in 1956. This law provides readjustment payments in the amount of one-half of 1 month's basic pay for each year of active service that a member of a Reserve component has performed prior to his involuntary release from active duty. The purposes of such payments are to ease the transition to civilian life for reservists who have been involuntarily released after long periods of active duty, and to induce young Reserve officers to remain on active duty after their obligated periods of service have expired.

The committee amendments to H.R. 5132 propose to increase the basis for computing these payments from one-half of 1 month's pay for each year served to 1 month's pay for each year served. The committee decided to make this recommendation after carefully considering the somewhat different approach contemplated in H.R. 5132 as it was referred to the committee. In that form, the bill imposed a mandatory requirement that except for physicians, dentists, and veterinarians, every Reserve officer who remained on active duty for longer than 2 years had to be offered a written agreement to serve on active duty for not to exceed 6 years. Upon successful completion of service under such an agreement, the member concerned would have been entitled to a lump sum payment in the amount of 2 month's pay for each year served under the agreement. Moreover, if the agreement were terminated through no fault of the member concerned, the member would have been entitled to 1 month's pay and allowances for each year not served under the agreement. The original bill also provided that at the 14-year point in service, a Reserve officer had to be (1) released from active duty, (2) extended a Regular commission, or (3) offered a written agreement for a period long enough to qualify him for the immediate receipt of retired pay. Since there was apprehension that these provisions might result in heavy attrition against members of the Reserve now serving on active duty, the bill provided that those reservists now on active duty with 14 or more years of service would be considered to have a contract for a period long enough to qualify them for the immediate receipt of retired pay. This latter provision was vigorously opposed by the executive branch.

So far as the Department of Defense is concerned, the problem that exists in this area is that substantial numbers of young Reserve officers are needed for active duty for periods longer than they are required by law to serve, but for periods that are not long enough to qualify the officers concerned for retirement. The Navy in particular needs young officers for 10 or 12 years of service but not for a 20-year career. From the point of view of the reservists affected, the problem is that many of them have rendered valuable service for relatively long periods but

reductions in force and promotion attrition frequently result in their being released from active duty before qualifying for the immediate receipt of retired pay.

The committee recognizes both of these problems. Instead of instituting a new system requiring written agreements for almost every reservist on active duty, and of permitting payments for service under these agreements even if the reservist left active duty voluntarily, the committee considered it preferable to increase the readjustment payments authorized under existing law. In following this course, the committee's amendment avoids the administrative burden and expense of executing written agreements with Reserve officers on active duty (and there are some 142,000 of these with more than 2 years of service), and it follows the precedent of conditioning readjustment payments on an involuntary release from active duty. The increased payments that would be authorized under this bill should serve both to make a short-term military career more attractive for the young reservist and to provide more equitable treatment for the longer term reservists who are released before qualifying for retirement pay.

The bill also has two relatively minor features that I shall discuss briefly. If a person received the increased readjustment payments and subsequently qualified for retired pay other than that received by reservists at age 60, for a combination of 20 years of active and inactive service, the amount of the additional readjustment payment this bill authorizes would be deducted from the retired pay the reservist received in the future. Let me stress that this recoupment does not apply to the one-half of 1 month's pay for each year of active service that is paid under existing law. The amount to be recouped is only the additional payments this bill would provide.

Under existing law, a reservist leaving active duty must choose between readjustment pay and disability compensation from the Veterans' Administration. Some of these persons have elected readjustment pay because they had a very small degree of disability, or because they were unaware of a latent disability that subsequently might entitle them to compensation from the Veterans' Administration that is more attractive than the amount of readjustment pay they have received. An election once made has been held to be irrevocable. The Veterans' Administration urged an amendment, and the committee agreed to it, which provides that a person who has elected readjustment pay may nonetheless receive Veterans' Administration compensation, but the amount of readjustment pay is deducted from such compensation. Receipt of the VA compensation is prospective only.

It is difficult to get meaningful cost estimates for a bill of this type because the cost depends on the number of reservists who will be involuntarily released in the future, and this is difficult to predict. For fiscal year 1961, the Department estimates that under existing law readjustment payments in the amount of \$4,859,000 would be made. Since this bill doubles these payments, it is fair to assume that the additional cost for 1961 is the same figure—\$4,859,000. This could prove to be a good investment for the Government if it attracts greater numbers of young reservists for continued active duty, and it should mitigate the hardships and disappointments experienced by reservists released to inactive duty after relatively long periods of service.

The PRESIDING OFFICER (Mr. McGEE in the chair). The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 5132) was read the third time and passed.

The title was amended, so as to read: "An act to increase the lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes."

EXPANSION OF FEDERAL COMMUNICATIONS COMMISSION'S REGULATORY AUTHORITY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1740) to amend section 202(b) of the Communications Act of 1934 in order to expand the Federal Communications Commission's regulatory authority under such section, which was to strike out lines 6 through 10, inclusive, and insert:

(b) Charges or services, whenever referred to in this act, include charges for, or services in connection with, the use of common carrier lines of communication, whether derived from wire or radio facilities, in chain broadcasting or incidental to radio communication of any kind.

Mr. PASTORE. Mr. President, I understand there has been agreement by both the majority and the minority on this measure.

Mr. DIRKSEN. That is correct.

Mr. PASTORE. I move that the Senate concur in the House amendment, which is a technical, clarifying amendment.

The motion was agreed to.

REPORTS ON ACCIDENTS BY CERTAIN COMMON CARRIERS BY RAILROAD

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1964) to amend the act requiring certain common carriers by railroad to make reports to the Interstate Commerce Commission with respect to certain accidents in order to clarify the requirements of such act, which were, on page 1, line 9, strike out "It" and insert "That it"; on page 2, line 6, strike out all after "person" down through and including "more," in line 8; on page 2, line 15, after "1910" insert "(45 U.S.C. sec. 42)"; on page 2, line 21, strike out all after "Act" over through and including "Act" in line 2, page 3; and on page 3, line 3, after "1910" insert "45 U.S.C., sec. 43)".

Mr. BARTLETT. I move that the Senate concur in the amendments of the House, which are technical in nature.

The motion was agreed to.

ANNEXATION OF CERTAIN REAL PROPERTY OF THE UNITED STATES BY THE CITY OF WYANDOTTE, MICH.

Mr. JOHNSON of Texas. Mr. President, I send to the desk Calendar No. 2018, House bill 383, to authorize the annexation of certain real property of the United States by the city of Wyandotte, Mich., and I ask for the immediate consideration of the bill.